CMPMO No. 76 of 2007.

7.9.2007 Present: Mr. V.D. Khidtta, Advocate, for the petitioner.

Mr. Shrawan Dogra, Advocate, for the respondent.

The learned District Judge by a correct appreciation of the facts and circumstances of the case and on correct application of the provisions of Himachal Pradesh Municipal Council Act, 1994, has rejected the petitioner's appeal preferred against Resolution No.1788 dated 18th October, 2005 passed by the respondent because in the considered opinion of the learned District Judge the petitioner had raised unauthorized construction even though as per condition No.11 of the lease deed and as per Section 211 (1) of the Municipal Council Act the petitioner was not permitted to do so.

No interference is called for. The petition is dismissed.

CMP No.163 of 2007.

Infructuous.

September 7, 2007. **(V.K. Gupta), C.J.**

(rc)